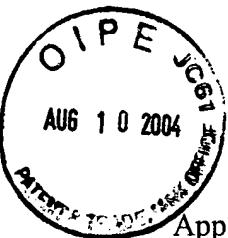


08/12/04

DW 1652



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Woon-Lam Susan Leung et al. Docket No.: 39766-0128A
Serial No.: 09/422,528 Group Art Unit: 1652
Filing Date: October 21, 1999 Examiner: Fronda, Christian L.
For: **PROCESS FOR BACTERIAL PRODUCTION OF POLYPEPTIDES**

EXPRESS MAIL LABEL NO.: EL 993 689 001 US

MAILING DATE: August 10, 2004

RESPONSE TO OFFICE ACTION

MS: Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed on February 10, 2004 in connection with the above-identified patent application, please consider the following remarks. The present Response is accompanied by a request for a three months extension of time and its, therefore, timely.

Remarks/Arguments start on page 2 of this paper.

08/13/2004 MMKONEN 00000062 081641 09422528

01 FC:1253 950.00 DA

FEE TRANSMITTAL
AUG 10 2004
for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 950.00)**Complete if Known**

Application Number	09/422,528
Filing Date	October 21, 1999
First Named Inventor	Woon-Lam Susan Leung
Examiner Name	Fronda, Christian L.
Art Unit	1652
Attorney Docket No.	39766-0128A

METHOD OF PAYMENT (check one) Check Credit card Money Order Other None Deposit Account:Deposit Account **08-1641 (Docket No. 39766-0128A)**Deposit Account Name **Heller Ehrman White & McAuliffe LLP****The Commissioner is authorized to:** (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	950.00
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					

SUBTOTAL (1) **(\$)****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
	-2** =	x	=

Independent Claims	-3** =	x	=
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Multiple Dependent		=	
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Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) **(\$)**

**or number previously paid, if greater; For Reissues, see above

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(\$ 950.00)****SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	GINGER R. DREGER, ESQ.	Registration No. (Attorney/Agent)	33,055	Telephone	650-324-7000
Signature	<i>Ginger R. Dreger</i>	Date	August 10, 2004	Customer No.	25213

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop _____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.